



UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Wei *et al.*

Appl. No.: 09/826,212

Filed: April 5, 2001

For: **Tumor Necrosis Factor Receptor 5**

Confirmation No.: 3523

Art Unit: 1646

Examiner: O'Hara, E.

Atty. Docket: 1488.1280006/EKS/EJH

**Information Disclosure Statement
Filing Under 37 C.F.R. § 1.97(c)**

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO/SB/08B are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. Copies of documents **NPL1-NPL8** are submitted herewith.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO/SB/08B based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

07/20/2005 WABDELRI 00000004 09826212
02 FC:1806
100.00 0P

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

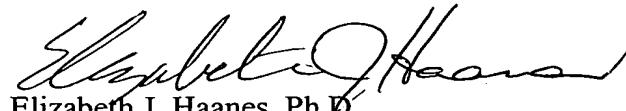
This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO/SB/08B, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

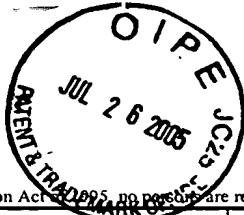

Elizabeth J. Haanes, Ph.D.
Attorney for Applicants
Registration No. 42,613

Date: July 26, 2005

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

423649_1.DOC

Atty. Dkt. No. 1488.1280006/EKS/EJH



Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Application Number	09/826,212
				Filing Date	April 5, 2001
				First Named Inventor	Ying-Fei Wei
				Art Unit	1646
				Examiner Name	Eileen O'Hara
Sheet	1	of	1	Attorney Docket Number	1488.1280006/EKS/EJH

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published			T ²
	NPL1	Badley, A.D., <i>et al.</i> , "Upregulation of Fas Ligand Expression by Human Immunodeficiency Virus in Human Macrophages Mediates Apoptosis of Uninfected T Lymphocytes," <i>J. Virol.</i> 70:199-206, American Society for Microbiology (January 1996)			
	NPL2	Han, L.-H., <i>et al.</i> , "Detection of soluble TRAIL in HBV infected patients and its clinical implications," <i>World J. Gastroenterol.</i> 8:1077-1080, The WJG Press (December 2002)			
	NPL3	Jeremias, I., <i>et al.</i> , "TRAIL/Apo-2-ligand-induced apoptosis in human T cells," <i>Eur. J. Immunol.</i> 28:143-152, Wiley-VCH Verlag GmbH (January 1998)			
	NPL4	Miura, Y., <i>et al.</i> , "Critical Contribution of Tumor Necrosis Factor-related Apoptosis-inducing Ligand (TRAIL) to Apoptosis of Human CD4 ⁺ T Cells in HIV-1-infected hu-PBL-NOD-SCID Mice," <i>J. Exp. Med.</i> 193:651-659, The Rockefeller University Press (March 2001)			
	NPL5	Miura, Y. and Koyanagi, Y., "Death ligand-mediated apoptosis in HIV infection," <i>Rev. Med. Virol.</i> 15:169-178, John Wiley & Sons, Ltd. (March 2005)			
	NPL6	Okada, H., <i>et al.</i> , "Extensive lymphopenia due to apoptosis of uninfected lymphocytes in acute measles patients," <i>Arch. Virol.</i> 145:905-920, Springer-Verlag (May 2000)			
	NPL7	Roe, M.F.E., <i>et al.</i> , "Lymphocyte apoptosis in acute respiratory syncytial virus bronchiolitis," <i>Clin. Exp. Immunol.</i> 137:139-145, Blackwell Publishing Ltd. (July 2004)			
	NPL8	Secchiero, P., <i>et al.</i> , "Human herpesvirus 7 induces the functional up-regulation of tumor necrosis factor-related apoptosis-inducing ligand (TRAIL) coupled to TRAIL-R1 down-modulation in CD4 ⁺ T cells," <i>Blood</i> 98:2474-2481, The American Society of Hematology (October 2001)			

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.